

## REMARKS

### I. INTRODUCTION

In response to the Office Action dated March 12, 2004, claim 18 has been canceled. Claims 16-17 and 19-22 remain in the application. Entry of these amendments, and re-consideration of the application, as amended, is requested.

### III. NON ART REJECTION

On page (2) of the Office Action, claim 18 was rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

Applicant's attorney has canceled claim 18.

### IV. PRIOR ART REJECTIONS

#### A. The Office Action Rejections

On page (2) of the Office Action, claims 16, 17, 19, 20, and 22 were rejected under 35 U.S.C. §102(a) as being anticipated by Lee, WO 93/16454 (Lee). On page (4) of the Office Action, claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Lee.

Applicant's attorney respectfully traverses these rejections.

#### B. The Applicant's Independent Claim

Independent claim 16 is directed to a method of presenting material on a same topic to a learner, comprising:

- (a) storing on one or more computers a plurality of materials including a collection of alternate presentations, each covering the same topic;
- (b) providing a communications link to the materials, via a data channel, with a communicator of the learner;
- (c) storing profiles of learners, which contain information about characteristics of each learner including information about each learner's curriculum, teaching strategies, present standing and personalized information;
- (d) selecting a preferred presentation from the collection of alternate presentations based on the learner's profile; and

(e) making the selected presentation to the learner.

C. The Lee Reference

Lee describes an educational method and system for executing the method, to improve the efficiency of individual learning by monitoring the student's progress and pacing the course material to the student's ability to comprehend and learn. This method and system also reduces the teacher's administrative and paperwork burden. Interactive multimedia technology is combined with unique courseware development to provide a flexible teaching tool and student monitoring system.

D. The Applicant's Claims Are Patentable Over The References

Applicant's invention, as recited in independent claim 16, is patentable over the references, because the claim recites limitations not found in the references.

Nonetheless, the Office Action cites Lee at page 8, line 29, page 8, lines 34-35, page 12, lines 8-10, page 6, line 37 through page 7, line 3, and page 7, lines 29-32 as teaching the limitations of the independent claim..

Applicant's attorney disagrees. The descriptions at the indicated locations of Lee merely set forth the following:

Lee: page 8, line 29 and page 8, lines 34-35 (actually, page 8, line 28 through page 9, line 2)

The teacher and/or a system program can then use the results of the homework assignments in conjunction with each student's progress, which has been stored in another database file at the end of the previous day, to assign lesson segments to each student as the process flow continues to block 130. This assignment process allows the teacher and/or a system program to determine how much and what type of material each student can access for a given period of time, and provides the first of several opportunities for the teacher and/or system program to tailor each student's individual learning program.

Lee: page 12, lines 8-10 (actually, page 11, line 31 through page 12, line 10)

After a lesson segment has finished being presented, the control flow according to this exemplary embodiment of the present invention goes from decision block 154 to block 180 which executes a quiz subroutine illustrated in more detail in Figure 4. At the end of each lesson segment, which can be designed at the courseware level to be of an optimal attention span length for the intended grade level of the student, typically there will be a series of questions retrieved from a database of questions associated with the particular lesson segment for the student to answer at block 182. The student enters his or her responses via the keyboard and the workstation CPU compares these responses to the correct answers stored in the

database at blocks 184 and 186. If desired, a grade on the student's responses can be generated and transmitted to the teacher's station for storage in the student's file.

Lee: page 6, line 37 through page 7, line 3 (actually, page 6, line 35 through page 7, line 16)

Initially, one advantageous feature of the educational method according to the present invention is that courseware can be uniquely developed for each class, school, school system or any other segment of a student population so as to provide a curriculum desired by the educators using the system and method of the present invention. The term "courseware" as used throughout this specification is meant to comprise the combination of control programs and data which provide each lesson to the student at a workstation and includes, for example, both the information stored on the hard drive, laser disk, and CD-ROM, as well as that input through the TV input module, and the programmed presentation of that data. The phrase "lesson segment" is used to denote a block of material presented to a student which is intended to be viewed and interacted with in one sitting, typically 15-40 minutes. A lesson segment can also be a test which evaluates the student's retention of one or more lesson segments or a whole semester's worth of material.

Lee: page 7, lines 29-32 (actually, page 7, lines 29-36)

Thus the teacher or school system can select material including, for example, text, illustrations, length of lesson and questions to be answered, to comprise the courseware for any subject. This courseware development step in the educational method according to the present invention advantageously provides teachers and parents with the opportunity to create and update the educational material for presentation to the students.

The above discussion of Lee does not teach or suggest all the limitations of Applicant's independent claim. Specifically, the above discussion of Lee does not teach or suggest storing profiles of learners, which contain information about characteristics of each learner including information about each learner's curriculum, teaching strategies, present standing and personalized information; selecting a preferred presentation from the collection of alternate presentations based on the learner's profile; and making the selected presentation to the learner.

Instead, the above discussion in Lee relates only to the use of homework assignments in conjunction with each student's progress to assign lesson segments to each student. Contrary to the assertion in the Office Action, this does not comprise each learner's curriculum, teaching strategies, present standing and personalized information. For example, nowhere are teaching strategies described in Lee. Indeed, it would only be with hindsight that the Office Action can make the assertion that the statement from Lee directed to "how much and what type of material each student can access" describes information about each learner's teaching strategies.

Thus, Applicant's attorney submits that independent claim 16 is allowable over the Lee reference. Further, dependent claims 17 and 19-22 are submitted to be allowable over the reference in the same manner, because they are dependent on independent claim 16, and thus contain all the limitations of the independent claim. In addition, dependent claims 17 and 19-22 recite additional novel elements not shown by the reference.

V. CONCLUSION

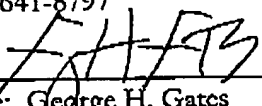
In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

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